

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAY 24 2005

Application No.: 10/090,888      Confirmation No.: 6489  
Applicant(s): Bantz et al.  
Filed: 3/4/2002  
Art Unit: 2643  
Examiner: Ni, Suhan  
Title: Automatic Audio Adjustment System Based Upon a User's  
Auditory Profile  
Attorney Docket No.: YOR920010527US1  
Customer No.: 29,683

Mail Stop AF  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Statement Of Substance of Interview

Sir:

This is in response to the Interview Summary mailed 05/18/2005 in regard to the above-identified patent application. It is noted that no telephonic interview occurred on 16 May 2005. The telephonic interview occurred on April 11, 2005. It is also noted that the examiner did not include a form PTOL-413A attached to the form PTOL-413.

During the interview on 4/11/2005 the undersigned asked the examiner if further clarifying the claims to specify that the entertainment sound signals were electronic signals would help to further the application to allowance. Specifically, claim 1 was mentioned. The examiner indicated that that would not help. The examiner indicated that other features would need to be added to the claims for allowance. The undersigned mentioned that the withdrawn claims had additional features, and that it appeared that the examiner had made a mistake in

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his restriction of the dependent claims, but that the undersigned would file a written reply requesting reconsideration. The undersigned asked the examiner if he could make any suggestions regarding how the claims could be amended to obtain allowance. The examiner was helpful, but was not able to suggest any specific amendment. The undersigned indicated that he would review the file again for the possibility of making further amendments. No agreement was reached between the examiner and the undersigned.

Should any unresolved issue remain, the examiner is invited to call applicants' attorney at the telephone number indicated below.

Respectfully submitted,

Mark F. Harrington  
Mark F. Harrington (Reg. No. 31,686)

5/24/05  
Date

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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

5/24/05  
Date

Ana Okrentowich  
Name of Person Making Deposit